

Proposed Rules

Federal Register

Vol. 60, No. 69

Tuesday, April 11, 1995

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 335

[Docket No. 93-026-3]

RIN 0579-AA61

Introduction of Nonindigenous Organisms

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule; correction to extension of comment period and notice of public hearing.

SUMMARY: We are correcting a document that was published in the **Federal Register** on March 21, 1995 (60 FR 14928-14929, Docket No. 93-026-2). The document announced a public hearing and extended the comment period for a proposed rule that would establish regulations governing the introduction of certain nonindigenous organisms. In the heading of that document, we failed to include a citation indicating the CFR title and part affected by the document and the previous proposed rule. We are correcting the heading to include a citation of the CFR title and part affected.

FOR FURTHER INFORMATION CONTACT:

Dr. Matthew H. Royer, Chief Operations Officer, Biological Assessment and Taxonomic Support, PPQ, APHIS, Suite 4A01, 4700 River Road Unit 133, Riverdale, MD 20737-1236; (301) 734-8896.

PART 335—INTRODUCTION OF NONINDIGENOUS ORGANISMS

1. In FR Doc. 95-6907, page 14928, first column, the heading, "7 CFR Part 335" is added immediately below the heading "Animal and Plant Health Inspection Service".

Done in Washington, DC, this 5th day of April 1995.

Alex B. Thiermann,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-8801 Filed 4-10-95; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-11-AD]

Airworthiness Directives; Mooney Aircraft Corporation Model M20K Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to Mooney Aircraft Corporation (Mooney) Model M20K airplanes. The proposed action would require inspecting to see if the airplane is equipped with a Gerdes fuel selector valve, part number (P/N) A-2580, and replacing any Gerdes fuel selector valve with an Airight fuel selector valve. Malfunction of a Gerdes fuel selector valve on an affected airplane, where the valve did not allow the operator to select the appropriate fuel tank, prompted the proposed action. The actions specified by the proposed AD are intended to prevent fuel selector valve malfunction, which, if not detected and corrected, would prevent the airplane operator from selecting the appropriate fuel tank, resulting in an unscheduled landing.

DATES: Comments must be received on or before June 9, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-11-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Mooney Aircraft Corporation, Louis

Schreiner Field, Kerrville, Texas 78028; telephone (210) 896-6000. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Sills, Mechanical Systems Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone (817) 222-5154; facsimile (817) 222-5959.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-CE-11-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-11-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received a report of a Gerdes fuel selector valve, P/N A-2580, malfunction on a Mooney Model M20K airplane. The airplane operator in the referenced incident was unable to select the appropriate fuel tank and was forced to make an unscheduled landing. No substantial airplane damage or injuries were reported. Fuel selector valve malfunction, if not detected and corrected, could result in passenger injury or airplane damage if the airplane operator was forced to make an unscheduled landing in adverse areas or conditions.

The FAA has determined that the P/N A-2580 Gerdes valve has a design incompatibility with Mooney Model M20K airplanes. The fuel tank selector valve is located on the floor in the cockpit of the Mooney Model M20K airplanes, and, if stepped on, the spool of the fuel selector valve may be forced down tight in the valve body and wedge-locked. The fuel valve selector handle may malfunction in this scenario and the pilot will not be able to utilize the fuel selector valve.

Mooney has issued Service Bulletin (SB) M20-256, dated January 24, 1995, which specifies procedures for replacing the Gerdes fuel selector valve with an Airight fuel selector valve. The Airight fuel selector valve is designed to prevent wedge-locking from occurring if the fuel selector valve is stepped on.

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent fuel selector valve malfunction, which, if not detected and corrected, would prevent the airplane operator from selecting the appropriate fuel tank, resulting in an unscheduled landing.

Since an unsafe condition has been identified that is likely to exist or develop in other Mooney Model M20K airplanes of the same type design, the proposed AD would require inspecting to see if the airplane is equipped with a Gerdes fuel selector valve, part number (P/N) A-2580, and replacing any Gerdes fuel selector valve with an Airight fuel selector valve. The proposed replacement would be accomplished in accordance with Mooney SB M20-256, dated January 24, 1995.

The FAA estimates that 78 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 3 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost

approximately \$535 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$55,770. This figure is based on the assumption that no airplane owner/operator has accomplished the proposed modification. Mooney has informed the FAA that parts have not been distributed to any owner/operator of the affected airplanes.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new AD to read as follows:

Mooney Aircraft Corporation: Docket No. 95-CE-11-AD.

Applicability: Model M20K airplanes (all serial numbers), certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any aircraft from the applicability of this AD.

Compliance: Required within the next 50 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent fuel selector valve malfunction, which, if not detected and corrected, would prevent the airplane operator from selecting the appropriate fuel tank, resulting in an unscheduled landing, accomplish the following:

(a) Inspect to see if the airplane is equipped with a Gerdes fuel selector valve, part number (P/N) A-2580. This inspection may be accomplished by examining the cross-sectional shape of the selector valve. The Gerdes selector valve has a rectangular cross section with square corners.

Note 2: The following airplane serial numbers (S/N) had a Gerdes fuel selector valve, part number (P/N) A-2580, installed at manufacture:

S/N 25-0001 through 25-0091, except for the following:

S/N's 25-0017, 25-0027, 25-0052, 25-0063, 25-0067, 25-0068, 25-0078, 25-0081, 25-0082, 25-0083, 25-0084, 25-0085, 25-0086, and 25-0089.

The excluded S/N 25-0001 through 25-0091 Model M20K airplanes and any S/N Model M20K airplanes outside that range may have had a Gerdes fuel selector valve, part number (P/N) A-2580, installed by field modification.

(b) Replace any Gerdes fuel selector valve, P/N A-2580, with an Airight fuel selector valve in accordance with the INSTRUCTIONS section in Mooney Service Bulletin M20-256, dated January 24, 1995.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished provided that the fuel selector valve is functioning properly.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office (ACO), FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Mooney Aircraft Corporation, Louis Schreiner Field, Kerrville, Texas 78028; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on March 27, 1995.

Dwight A. Young,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-8832 Filed 4-10-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 91-CE-85-AD]

Airworthiness Directives; Jetstream Aircraft Limited (Formerly British Aerospace, Regional Airlines Limited) Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Jetstream Aircraft Limited (JAL) Models 3101 and 3201 airplanes. The proposed action would require modifying the central annunciator panel test button circuit. A report of diode failure in this circuit and subsequent inadvertent engine shutdown on one of the affected airplanes prompted the proposed action. The actions specified in the proposed AD are intended to prevent failure of a diode in the central annunciator panel test button circuit, which, if not detected and corrected, could result in inadvertent engine shutdown while in flight if the central annunciator panel test button is pressed.

DATES: Comments must be received on or before June 9, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 91-CE-85-AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from

Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC, 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Kiesov, Aerospace Engineer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 91-CE-85-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 91-CE-85-AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, has notified the FAA that an unsafe condition may exist on JAL Jetstream Models 3101 and 3201 airplanes. The CAA reports that a diode failed in the central annunciator panel test button circuit on one of the affected airplanes. This led to inadvertent engine failure of one of the engines when the airplane operator pressed the central annunciator panel test button.

JAL has issued Jetstream Alert Service Bulletin (ASB) 80-A-JA 911045, Revision 1, dated November 1, 1991, which specifies procedures for modifying the central annunciator panel test button circuit on Jetstream Models 3101 and 3201 airplanes. The modification (Amendment JA 911045) consists of removing diodes from the engine stop circuit and configuring a minor wire change.

In order to assure the continued airworthiness of these airplanes in the United Kingdom, the CAA classified Jetstream ASB 80-A-JA 911045, Revision 1, dated November 1, 1991, as mandatory. The CAA classifying a service document as mandatory is the same for airplanes registered in the United Kingdom as the FAA issuing an AD for airplanes registered in the United States.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above.

The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop in other JAL Jetstream Models 3101 and 3201 airplanes of the same type design, the proposed AD would require modifying the central annunciator panel test button circuit by removing diodes from the engine stop circuit and configuring a minor wiring change. The proposed actions would be accomplished in accordance with Jetstream ASB 80-A-JA 911045, Revision 1, dated November 1, 1991.

The FAA estimates that 260 airplanes in the U.S. registry would be affected by the proposed AD, that it would take